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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,931	12/03/2003	Chiyoko Matsumi	MTS-3583US	4481
53473	7590	05/12/2010		
RATNERPRESTIA			EXAMINER	
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			ART UNIT	PAPER NUMBER
			2621	
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			05/12/2010	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/725,931

**Applicant(s)**

MATSUMI ET AL.

**Examiner**

Hung Q. Dang

**Art Unit**

2621

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 February 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 2, 6 and 7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 6 and 7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments filed 02/15/2010 have been fully considered but they are not persuasive.

On pages 5-7, Applicant argues that Ando does not disclose the features of "... record data file holding position information, which indicates a position where said data file is held, in a data file holding position information file held on said record medium ...", "...reproduce said predetermined data stored by said data file by using said data file holding position information ...", and "...said data file holding position information is recorded, along with data of said predetermined file system, in said data file holding position information file ..." because Ando does not disclose a file holding position information is recorded in a file holding position file along with the data of said predetermined file system.

In response, Examiner respectfully disagrees.

First of all, Figs. 12 and Figs. 13 of Ando show a construction of a UDF file system, which at least corresponds to the recited "predetermined file system".

In this construction, one interpretation is that any combination of the "Volume Recognition Sequence", the "Main Volume Descriptor Sequence".... the "First Anchor Point", and the "File Structure" sections collectively correspond to the data file holding position information file, in which data in structures other than the file structure correspond to data of the file system. Therefore, the holding position information is

recorded along with data of the file system in the data file holding position information file.

Another interpretation is that the file structure defined in the construction shown in Figs. 12 and 13 corresponds to the recited "data file holding position information file", in which, besides the data file holding position information (information recording the location of file data on the recording medium – e.g. field 407 of Fig. 14), there are at least other information such as fields 404, 405, and 406. At least the data recorded in one or more of fields 404 and 405 can correspond to the recited "data of said predetermined file system".

Applicant's arguments are therefore not persuasive.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-2 and 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ando et al. (US Patent 6,341,196 – hereinafter Ando) and Cazier (US Patent 7,143,114).**

Regarding claim 1, Ando discloses a recording and reproducing system comprising (*column 4, lines 59-67*): a record medium holding, according to a predetermined file system, a plurality of data files of storing predetermined data, said data files being classified according to their data formats (*Figs. 18; Fig. 15; column 22,*

*lines 8-14 - also see "Response to Arguments" above)* and parameter information used for reproducing said predetermined data (*column 17, lines 16-29; column 19, lines 18-54*); a data file holding position information file recording unit which includes a processor and is configured to record data file holding position information, which indicates a position where said data file is held in a data file holding position information file held on said record medium (*column 22, line 8 – column 23, line 10; Figs. 18; Figs. 19; Fig. 13A; Fig. 14; column 18, lines 9-15*); a parameter information file recording unit which includes a processor and is configured to record said parameter information in a parameter information file held on said record medium (*column 17, lines 16-29; Fig. 14; Fig. 15*); and a data reproducing unit which includes a processor and is configured to reproduce said predetermined data stored by said data file by using said data file holding position information and said parameter information (*column 19, lines 18-54*), wherein a data storage format of said parameter information file is such that all parameter information in said parameter information file associated with one data format being stored sequential to all parameter information in said parameter information file associated with another data format by using a classification according to said data formats (*column 17, lines 16-29; Fig. 14; Fig. 15; Fig. 24; also see "Response to Arguments" above*). Further, Ando also discloses each of said data file is given unique data file ID (*column 18, lines 7; Fig. 16*); and the parameter information of the data files are stored in an order (*for example, parameter information of data file C (entry 106) go before those for data files H (entry 114) and I (entry 118) respectively as shown in Fig. 13A*), and said data file holding position information is recorded, along with data of said

predetermined file system, in said data file holding position information file by using said unique data file ID which are given (*column 18, lines 1-15; Fig. 13A; Fig. 16 – also see “Response to Arguments” above*).

However, Ando does not disclose the unique data file ID is given by using order in which said parameter information file stores said parameter information.

Cazier discloses giving each object a unique ID by using an order in which the object is created (*column 1, lines 15-21*).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the step of giving a unique ID using order as described by Cazier into the recording apparatus disclosed by Ando so that each ID is automatically generated in order for reasons of simple implementation. The incorporated feature would eliminate the need for a complicated naming algorithm in creating the management records; thus, should be preferred.

Regarding claim 2, Ando also discloses said data file holding position information file stores said file holding position information with respect to said plurality of data files are held respectively (*Fig. 13A*).

Claim 6 is rejected for the same reason as discussed in claim 1 above.

Claim 7 is rejected for the same reason as discussed in claim 1 above.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Q. Dang whose telephone number is (571)270-1116. The examiner can normally be reached on IFT.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI Q. TRAN can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hung Q Dang/  
Examiner, Art Unit 2621

/Thai Tran/  
Supervisory Patent Examiner, Art Unit 2621